



PUBLIC NOTICE

Federal Communications Commission
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DA 18-459
May 3, 2018

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE TRANSFER OF CONTROL
OF HUSKER ONE, L.L.C. TO FMTC-SWT, INC.**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 18-116

Comments Due: May 17, 2018
Reply Comments Due: May 24, 2018

By this Public Notice, the Wireline Competition Bureau seeks comment from interested parties on an application filed by the Members of Husker One, L.L.C. (Husker Members) and FMTC-SWT, Inc. (FMTC-SWT) (collectively, Applicants), pursuant to section 214 of the Communications Act of 1934, as amended, and sections 63.03-04 of the Commission's rules, requesting consent to transfer control of Husker One, L.L.C. (Husker One), and its wholly owned subsidiary, Interstate Cablevision, LLC (Interstate), to FMTC-SWT.¹

Husker One, an Iowa limited liability and holding company, does not provide telecommunications services itself but wholly owns Interstate, an Iowa limited liability company. Interstate provides service as a competitive local exchange carrier (LEC) to approximately 25 access lines in the Winterset exchange in Madison County in south central Iowa.

FMTC-SWT, an Iowa corporation, serves as an incumbent LEC to approximately 462 access lines in the Emerson, Henderson, and Imogene exchanges in Mills, Fremont, Montgomery, Pottawattamie, and Page Counties in southwestern Iowa.² FMTC-SWT is wholly owned by Farmers Mutual Telephone Company (Farmers Mutual), an Iowa corporation, that serves as an incumbent LEC to approximately 1,525 lines in the Nora Springs, Floyd, Rudd, and Rockford exchanges in Floyd County in northeastern Iowa. Farmers Mutual also wholly owns two other incumbent LECs: Farmers Telephone Company (Farmers Telephone), an Iowa corporation, that serves approximately 1,130 access lines in the Little Cedar, New Haven, Riceville, Plymouth, Rock Falls, and McIntyre exchanges in Mitchell, Howard, and Cerro Gordo Counties in northeastern Iowa; and FMTC-I35, Inc. (FMTC-I35), an Iowa corporation, that serves approximately 1,008 access lines in the Truro, St. Charles, and St. Mary's exchanges in Madison, Warren, and Clark Counties in south central Iowa.

¹ See 47 U.S.C. § 214; 47 CFR §§ 63.03-04. On May 1, 2018, Applicants filed a supplement to their domestic section 214 application.

² Applicants provide a list of FMTC-SWT's operating subsidiaries and affiliates in their application.

Applicants state that Husker One's Winterset exchange is adjacent to, but does not overlap with, the exchanges operated by FMTC-135, Inc.

Applicants state that Farmers Mutual, FMTC-SWT, Farmers Telephone, and FMTC-I35 offer services under the trade name of OmniTel Communications and that, collectively, they provide local exchange telephone service to 20 exchanges in northeastern, south central, and southwestern Iowa. Applicants state that Farmers Mutual also wholly owns OmniTel Communications, Inc., an Iowa corporation, that serves as a competitive LEC to approximately 4,600 access lines in the Stacyville, St. Ansgar, Marble Rock, and Greene exchanges in Mitchell, Floyd, and Butler Counties in northeastern Iowa. Applicants further state that no individual or entity directly or indirectly holds 10 percent or more of the equity or voting power of Farmers Mutual.

Pursuant to the terms of the proposed transaction, FMTC-SWT will purchase from Husker Members all of the member interests in Husker One. FMTC-SWT will therefore wholly own Husker One and indirectly own Interstate. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(ii) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.³

Domestic Section 214 Application Filed for the Transfer of Control of
Husker One, L.L.C. to FMTC-SWT, Inc., WC Docket No. 18-116 (filed Apr. 16, 2018).

GENERAL INFORMATION

The transfer of control identified herein has been found, upon initial review, to be acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 CFR § 63.03(a), interested parties may file comments **on or before May 17, 2018**, and reply comments **on or before May 24, 2018**. Pursuant to section 63.52 of the Commission's rules, 47 CFR § 63.52, commenters must serve a copy of comments on the Applicants no later than the above comment filing date. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.

Pursuant to section 63.03 of the Commission's rules, 47 CFR § 63.03, parties to this proceeding should file any documents using the Commission's Electronic Comment Filing System (ECFS): <http://apps.fcc.gov/ecfs/>.

In addition, e-mail one copy of each pleading to each of the following:

- 1) Myrva Charles, Competition Policy Division, Wireline Competition Bureau, myrva.charles@fcc.gov;
- 2) Gregory Kwan, Competition Policy Division, Wireline Competition Bureau, gregory.kwan@fcc.gov; and
- 3) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

³ 47 CFR § 63.03(b)(2)(ii).

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), 1-888-835-5322 (tty).

The proceeding in this Notice shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b), 47 CFR § 1.1206(b). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For further information, please contact Myrva Charles at (202) 418-1506 or Gregory Kwan at (202) 418-1191.

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